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Fifty-first session

SUMMARY RECORD OF THE 56th MEETING
(FIRST PART)*

Held at the Palais des Nations, Geneva,
on Monday, 6 March 1995, at 6.30 p.m.

Chairman: Mr. MEJIA (Nicaragua)
(Vice-Chairman)

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* The summary record of the second part of the meeting appears as document E/CN.4/1995/SR.56/Add.1.

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In the absence of Mr. Hitam (Malaysia), Mr. Mejia, Vice-Chairman, took the Chair.

The meeting was called to order at 6.35 p.m.

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES, INCLUDING:

(a) QUESTION OF HUMAN RIGHTS IN CYPRUS

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1. Mr. SIMONI (Observer for Albania) said that the human rights situation of Albanians in Kosovo, where they accounted for 90 per cent of the population, had deteriorated since the Commission's previous session. The brutal violations of their most elementary rights were part of a comprehensive State-organized campaign of suppression and terror. Albanians were being forced to leave their ancestral land and homes to be replaced by Serb immigrants who were being sent to Kosovo with the intention of altering the ethnic structure of the region.

2. The human rights situation in the region had been confirmed in the report of the Special Rapporteur, Mr. Mazowiecki, which described police brutality against ethnic Albanians, arbitrary searches, torture and ill-treatment during detention and discrimination in the administration of justice, which led to a climate of lawlessness. It also described the discriminatory removal of ethnic Albanian officials from the police and the judiciary and professional, administrative and skilled positions in State-owned enterprises and public institutions, as well as the closure of Albanian schools and universities.

3. In order to mask their inhuman policies against the Albanian population, the Belgrade authorities had curtailed the activities of the Organization for Security and Cooperation in Europe (OSCE) missions in Kosovo. The international community should adopt a more resolute position on the repeated violations of the human rights of Albanians by the Serb authorities.

4. Mr. NASSERI (Observer for the Islamic Republic of Iran) said that the term "fundamentalism" as ascribed to Islam was conceptually meaningless. The West's misconceptions about Islam, clearly seen in statements by the Secretary-General of the North Atlantic Treaty Organization (NATO) and other European officials, dated back to the early history of Islam. Medieval antagonism towards the Islamic world was manifesting itself once again.

5. NATO desperately needed a new bogeyman at which it could point its guns. However, that was merely the military manifestation of the anti-Islamic wave sweeping through most of Europe and the United States. At the political level, injustice was the rule, and equity a rare exception for Muslims.

6. Palestine was the ultimate example of all-out oppression against an Islamic nation. Invaders had received unlimited support and encouragement from the West to encroach on a Muslim land, force out its inhabitants by murder, and maim, torture and terrorize its citizens. Palestine was the consolation prize for the West's crimes against the Jews.

7. At the same time, in Bosnia, the Serbs who had been encouraged by the Israeli experience to try to obtain the full rewards for aggression, had resolved to annihilate another Muslim nation through ethnic cleansing. What the West had done to the Jews, Israel had done to the Palestinians and Serbs were doing to Bosnians.

8. The prime targets of xenophobia in Europe and the West were Muslim immigrants, many of whom had lived there for generations without any legal status. Xenophobia, in its most violent manifestation, was confined to limited groups. Western States, however, particularly Europe, were fanning the flames by adopting policies which curtailed the rights of foreigners.

9. Restrictive immigration policies within the European Union, as well as in the United States, Canada and Australia, had a predominant anti-Muslim bias and were designed to maintain demographic balance, preserve cultural norms and prevent the further expansion of Muslim communities. Even Switzerland had adopted legislation which inter alia prejudiced Muslims.

10. As individuals, on the other hand, Muslims who were branded as fundamentalists were immediately stripped of their most basic rights. They had no right to win an election in a democratic process, no right to freedom of expression, no right even to freedom from torture and ill-treatment, no right to life.

11. It was hardly surprising then that the representative of the European Union had catalogued 21 Islamic countries in breach of human rights. Iran's neighbours to the west, east and north were all listed. Southern neighbours were excluded for the time being. However, that would change.

12. In the Middle East, nearly every Islamic State was mentioned except those which it would be "politically incorrect" to criticize for human rights violations. The same could be said about Islamic States in Asia, where less than a handful remained excluded for the time being.

13. Mr. Pak Tok HUN (Observer for the Democratic People's Republic of Korea) said that, in terms of human rights, it appeared that an East-West conflict was being replaced by a North-South confrontation. The human rights situation in the developing countries was seriously exaggerated or questioned for political motives and was invoked to force those countries to change their social, economic system or policies, restrain potential rivals, control strategic areas or protect interests. Yet there would be no substantial change in human rights situations as long as human rights were used as a political tool.

14. The human rights situation in individual countries was being measured largely by the standards set by the developed countries. However, their own human rights records lagged far behind the standards they themselves had set.

It was abhorrent that developed countries, including France and the United States, which boasted of economic development and civilization, were unable to guarantee their people the right to life, stable employment, suitable housing and adequate medical care, and that those societies were affected by xenophobia, murder, violence, drugs and pornography.

15. Only when the sovereignty of countries and nations was fully respected and the principle of objectivity and non-selectivity was observed could tangible progress be made by the international community in its efforts to promote and protect human rights throughout the world.

16. Ms. ADE (African Association of Education for Development) said that a large part of the African population was Muslim. Unfortunately, however, Islam, a religion based on peace and fraternity, was being distorted by a fanatical minority, as in Algeria. Steps should be taken by the international community at large to combat Islamic fundamentalism in North African countries.

17. Pressure should also be brought to bear on the Government of the Sudan to allow the Sudanese people to enjoy religious and political freedom.

18. The tragic events taking place in Burundi were also a cause for concern. The international community should continue to support, in every way possible, the reconstruction of Rwanda and help to create the conditions necessary for the repatriation of refugees. It should also continue consideration of human rights violations in Zaire and Sierra Leone, as well as the conflicts in other African countries, including Liberia and Somalia.

19. Assistance was also required for the Government of Angola and the National Union for the Total Independence of Angola (UNITA) so that the peace agreements signed in Lusaka could be consolidated.

20. Within the United Nations itself, confusion within human rights institutions must be avoided. Equatorial Guinea was a case in point, for it was indeed curious that the authorities of that country needed technical assistance in order to protect the lives of citizens and put an end to torture, cruel, inhuman or degrading treatment. She expressed the hope that the Commission would bring pressure to bear on the authorities of Equatorial Guinea in order to induce them to promote and protect human rights.

21. Ms. JEENAT (Indian Institute for Non-aligned Studies) said that the basic rights to life, liberty, speech, movement, employment and education had been virtually denied to the people of the Kashmir valley by Pakistan-sponsored activities aimed at imposing a fundamentalist Islamic culture which was alien to the secular traditions of Kashmir. Pakistan's version of Islamic fundamentalism, which had been reported in the Pakistan press itself, was that Muslims living in a Muslim country had a duty to expand ideological and territorial frontiers by word of mouth, by the pen and by the sword. In that context, Kashmiris were being killed to extend Islamic frontiers into Kashmir. So-called freedom fighters had brutally killed, kidnapped, wounded, looted and raped their own people, including women and children of all faiths.

22. After illegally occupying part of Kashmir in the name of Islam in the past, they were at present using the same tactics by sponsoring Islamic fundamentalists and foreign mercenaries whose presence in the Kashmir valley was resulting in heavy casualties and destruction. Madrassas, which were religious schools, had long provided the Afghan war and the Iran-Iraq war with thousands of volunteers eager to fight and, if necessary, to die for the cause of Islam.

23. Pakistan had consistently tried to annex Jammu and Kashmir on the basis of a two-nation theory which had never been applicable to that State because it had not been a part of British India. Following Pakistan's attacks on the State of Jammu and Kashmir in 1947, when half of Kashmir had been forcibly occupied by the Pakistan army, the leader of Jammu and Kashmir had persuaded the sovereign ruler of the State to accede to the Union of India, on the basis of the popular will of the people of Jammu and Kashmir. It was their desire that the Indian army should defend and protect them, as well as the boundaries of Jammu and Kashmir.

24. Bloodshed in Kashmir was seen as the victory of the Islamic Jihad in Pakistan, and various United Nations resolutions calling on Pakistan to withdraw all its armed forces from Pakistan-occupied Kashmir had been consistently ignored.

25. Since the situation in Kashmir was not an isolated case, the question was whether the international community and the United Nations could effectively respond to fundamentalist movements in various parts of the world.

26. Ms. SAMSAMI (International Falcon Movement) said that in 1994 the Iranian people's reaction to repression and oppression by the clerical dictatorship had grown stronger. The host of demonstrations and protest actions, all of which had been brutally suppressed, were undeniable proof of the regime's illegitimacy in the eyes of the Iranian people. According to paragraph 21 of the report on the situation of human rights in the Islamic Republic of Iran by the Special Representative (E/CN.4/1995/55) the Islamic Consultative Assembly had, on 1 November 1994, enacted a law allowing members of the security forces and the voluntary militia to fire on demonstrators.

27. According to a report by the British Parliamentary Human Rights Group, more than 100 assassination attempts had been made over a period of 15 years on the lives of Iranian dissidents living abroad in 18 countries. The use of terrorism as an instrument of foreign policy had developed into an organized and professional activity.

28. At the national level, women continued to be the primary victims of the religious dictatorship. Caught in a vicious circle of social humiliation and coercion, economic dependence, family insecurity, fear for their children's lives, daily repression, insults and sexual abuse, Iranian women led a bleak life. The Government preached that they were inferior and should be subservient and the law even encouraged family violence against them.

29. In 1994 the regime had made a brazen attempt to conceal its repeated violations of human rights in Iran by attributing murders carried out by the regime to its opponents; that policy had been approved at the highest level

of authority. The abduction and murder of three leaders of the Iranian Christian community and a bomb attack on Iran's holiest religious site in Mashhad had been blamed by the authorities on the Iranian resistance and the mujahedin. The firing of missiles at a resistance base to inflict the maximum number of casualties on dissidents was another example of atrocities that were justified on the pretext of retaliation against attempts by resistance forces to penetrate Iranian territory.

30. In the face of a bankrupt economy, bureaucratic corruption and pervasive poverty and hardship, the only response of the mullahs was further repression.

31. The leader of the Iranian resistance had stated that, as the mullahs disregarded the resolutions of the General Assembly and the Commission on Human Rights, the time had come to refer the human rights abuses and terrorism for which they were responsible to the United Nations Security Council so that action could be taken against them.

32. No definition of Islam and fundamentalism could justify atrocities such as the torture and rape of nine-year-old girls. The conduct of the regime in Iran bore no relation to the true concept of Islam.

33. Mr. FAUZY (Regional Council on Human Rights in Asia) said that impunity was the most important factor contributing to gross violations of human rights in Sri Lanka. Many security officers who had been found guilty of torture, illegal detention and abduction by the Supreme Court had gone unpunished and others against whom there was considerable evidence of human rights violations continued in office. Although the present Government had set up three commissions of inquiry to investigate disappearances, their mandate did not allow them to initiate proceedings against the perpetrators.

34. The human rights situation in Indonesia, despite the cooperation of the Government with the Commission on Human Rights, was characterized by a persistent pattern of human rights violations, which were being perpetuated by the so-called "security approach" that amounted to a highly intensive system of State surveillance of ordinary citizens conducted by the intelligence apparatus of the armed forces. The mass media had widely criticized such practices at a time when the Government's "openness" campaign had permitted direct criticism of government officials. The campaign had not lasted long; peaceful protests by journalists had been brutally crushed by the military and efforts to subjugate the Independent Journalists' Association had continued.

35. The security approach was based on legislation that had been inherited from the Dutch colonial power in Indonesia. Such legislation had been the justification for the use of excessive force by the military and bound the judicial system to the executive and military branches.

36. An oppressive military apparatus operated outside the existing Indonesian Criminal Code and allowed broad discretion as to the arrest, detention and interrogation of persons who were perceived as a threat to national stability and development.

37. The continuing human rights violations against the people of East Timor, particularly the military atrocities committed there in January 1995 were of

grave concern. However, Such violations occurred not only in East Timor but also within Indonesia, as had been documented by the Special Rapporteur on extrajudicial, summary or arbitrary executions (E/CN.4/1995/61).

38. The Special Rapporteur on the independence of the judiciary and the protection of practising lawyers should be requested to visit Indonesia, as should the United Nations High Commissioner for Human Rights during his proposed visit to East Timor.

39. Mr. GONZALES (International Indian Treaty Council) said the human rights situation of indigenous peoples around the world continued to deteriorate. Despite the appeals made in resolutions adopted by the Commission at its fiftieth session the Government of Papua New Guinea continued to violate the basic human rights and fundamental freedoms of the people of Bougainville island, and its negotiations with the Bougainville interim Government had not led to a peaceful settlement of the dispute. His organization urged the Commission to do all it could to see that the human rights of the indigenous people of the island were promoted and protected.

40. In Brazil, forces of the army and military police had invaded a Macuxi Indian community and driven some 400 people from their homes because the Macuxi had challenged government plans for the construction of the Cotingo River Hydroelectric Dam on their territory. That territory had been designated as an indigenous area by the Government in 1993, and under the Brazilian Constitution dams could not be constructed without the consent of the indigenous communities affected.

41. The border conflict between Ecuador and Peru was an example of a war instigated by certain military and trade interests in which indigenous peoples were the chief sufferers. Some 50,000 of the Shuar and Achuar people lived on the Ecuadorian side of the border and some 12,000 on the Peruvian side, and it was a disturbing fact that many of them had been recruited to serve on one or the other side.

42. The armed conflict in Guatemala reflected the same pattern. Despite the conclusion of global human rights accords the previous year, gross human rights violations had continued to increase as part of a deliberate plan to discredit the peace negotiations and to block the efforts of the United Nations Human Rights Verification Commission in Guatemala (MINUGUA). The only way that tragic situation could be remedied was by appointing the Independent Expert, Dr. Monica Pinto, as special rapporteur so that she could continue to keep the Commission and the General Assembly informed of developments.

43. The year 1995 marked the twentieth anniversary of the illegal occupation of East Timor by Indonesia, following which more than 200,000 Timorese had been killed through warfare, starvation and disease. The United States and other Governments should impress upon Indonesia the need to comply with United Nations resolutions on the fundamental rights and freedoms of the Timorese people, and he urged the Indonesian and Portuguese Governments to invite Timorese leaders to participate in peaceful negotiations for the return of the land to its original inhabitants.

44. In Mexico, 70,000 troops had cordoned off the south-east area and had targeted the civilian population as Zapatista sympathizers, and he urged the international community to appeal for peace and dialogue in the region and a halt to attempts to make indigenous peoples scapegoats for Mexico's economic and political crisis. The situation was in fact the result of the North American Free Trade Agreement (NAFTA), which had meant that the land and livelihood of indigenous peoples were being bartered for economic gain without their participation or consent. He called on all Governments that were considering such international trade agreements to evaluate their impact on indigenous communities before taking any decisions; if that was not done, those same Governments should be held responsible for creating conditions under which such communities would be forced to exercise their inherent right to self-defence. He urged Canada, Mexico and the United States to re-evaluate NAFTA in so far as it pertained to indigenous peoples.

45. The century's largest forced relocation of indigenous peoples was taking place in the United States. Families of the Dine and Hopi communities in Arizona were being forced from their lands and were being threatened and harassed because multinational corporations wished to expand their strip mining operations in the area.

46. In conclusion, he welcomed the report by the Independent Expert, Ms. Simbine Machel, on the protection of children affected by armed conflict. It was ultimately children who suffered most from the effects of violations of human rights and fundamental freedoms, and he requested the Commission to consider appointing a permanent special rapporteur on armed conflict following the termination of Ms. Machel's mandate.

47. Mr. MACRIS (Observer for Cyprus), speaking in exercise of the right of reply, said that the previous week the observer for Turkey had once again resorted to distortion and disinformation. The Turkish invasion of Cyprus followed by widespread and massive human rights violations, had been legally unjustified, but repeated challenges to Turkey to test the legality of the invasion and occupation by bringing the case before the International Court of Justice had so far proved fruitless. The world community had called upon Turkey to withdraw its troops and settlers from Cyprus, to allow the return of refugees to their homes and to account for missing persons, and the Commission itself had called for the full restoration of human rights and fundamental freedoms to the people of Cyprus. The massive human rights violations by the Turkish army were well documented, and his Government had recently had recourse to the European Commission of Human Rights on the matter. The Government of Turkey was notorious for human rights violations not only in Cyprus, but within Turkey itself.

48. If Turkey was to achieve its desired status as a bridge between continents and cultures, it should abandon its policy of violence and injustice and adopt a civilized and conciliatory attitude, so that the force of law could replace the law of force. A country of over 60 million inhabitants could not hold a small country of 750,000 inhabitants hostage indefinitely.

49. Mr. QUAYES (Bangladesh), speaking in exercise of the right of reply, said he wished to respond to comments by the representative of the Indigenous

World Association on the situation in the Chittagong Hill Tracts. The representative had complained that the cease-fire agreement had been extended "only" to 31 March 1995, but in fact an extension to that date had been granted by his Government at the request of the parties concerned.

50. The representative had spoken of the need for dialogue, but in fact dialogue was already taking place, and had produced positive results in that the process of repatriation of the tribal people of the area had gained momentum. He earnestly hoped that continuing dialogue would lead to a satisfactory solution.

51. As to the reported arrest referred to by the representative, he stressed that, under the Bangladesh Constitution and under the rule of law that prevailed in the country, there was no scope for unlawful detention or for denial of legal assistance to arrested persons. All cases were dealt with according to the provisions of the law of the land. The judiciary in Bangladesh was independent, and was responsible under the Constitution for upholding the rule of law.

52. Mr. BENJELLOUN-TOUIMI (Observer for Morocco), speaking in exercise of the right of reply, said he wished to reply to the comments of a number of non-governmental organizations on the question of Western Sahara. He regretted that those bodies had evidently not read the documentation distributed to the Commission on the subject, and that as a result their views were tendentious and incomplete. He appealed to them to be more objective, so that the credibility of the Commission could be preserved.

53. The speakers had been highly selective in their choice of sources: they had cited only the testimony of Mr. Ruddy, a former United Nations official, to the United States Congress in January the previous year. The issue of Western Sahara was in fact being dealt with by the Security Council and the General Assembly, and regular reports were made to the Secretary-General on the development of the referendum process in the territory. He found it incredible that not one of those bodies had had the courage to read any of those reports.

54. It should be realized that Mr. Ruddy's testimony to the United States Congress had been coloured by personal considerations; in an attempt to settle scores with other United Nations officials, he had had no reservations about attacking the entire United Nations hierarchy. A number of commentators had reported that Mr. Ruddy's testimony had been highly emotive and biased, and that he had not presented an objective analysis of the situation in Western Sahara. The Moroccan Government intended to prepare a point-by-point refutation of Mr. Ruddy's claims, which would be made available to delegations.

55. It had been claimed that negotiations over Western Sahara were in fact totally dominated by the Government of Morocco. What then was the role of the Security Council, and of the observers from some 40 countries who were monitoring the situation in the territory? How was it that the international community, through the United Nations General Assembly, had not objected, and how was it that the representative of the Secretary-General had in fact made a positive report on the question to the Security Council?

56. Mr. MAYENSUE (Observer for Equatorial Guinea), speaking in exercise of the right of reply, said he wished to respond to comments made by representatives of the International Movement for Fraternal Union Among Races and Peoples, and of the African Association of Education for Development. It was regrettable that, despite invitations from the Government, not the least effort had been made for over two years to assess the real situation in his country. Accordingly, any criticisms made were bound to be unfounded, and as such entirely unacceptable.

57. His delegation wished to request the Centre for Human Rights for technical assistance to support the efforts being made by his Government and by non-governmental organizations to promote and protect human rights.

58. Mr. NGUYEN VAN SON (Observer for Viet Nam) said that in his view efforts to promote and protect human rights should serve the interests of the peoples concerned, and not the designs of foreign powers. In recent years, the people of Viet Nam had been struggling to overcome the effects of over a century of colonial domination and war, in a far from favourable climate of political and economic pressures and attempts at subversion. Improving the quality of life for a population of 73 million through development was a monumental task, which called for efforts and sacrifice on the part of a whole people. He was pleased to note that progress had been made in implementing a policy of economic and social development, establishing the rule of law, and strengthening democracy.

59. Although the situation was not yet perfect, Viet Nam had the political will to overcome its difficulties, and welcomed any constructive contribution to that end. Allegations of human rights violations in Viet Nam were constantly being made by Vietnamese elements abroad who had been collaborators with the former regime and were motivated by a wish to destabilize the current Government. However, the real situation could not be disguised, and any attempts of that kind could not deceive those who were aware of the truth.

60. In the statement made by the representative of France on behalf of the European Union in regard to the visit by a working group to Viet Nam the previous year at the invitation of the Government, the representative of France had replaced the word "invitation" by "acceptance", thus distorting the nature of the visit and the facts relating to it. That sort of thing would inevitably compromise the cooperation established between Viet Nam and United Nations human rights mechanisms, and cast doubt on the veracity of allegations in regard to the United Nations made in the statement.

61. Mr. MELIK-CHAKHNAZAROV (Observer for Armenia), speaking in exercise of the right of reply, said he wished to respond to the statement made by the representative of Azerbaijan. The armed conflict in Nagorny-Karabakh had in fact been begun by Azerbaijan in response to a peaceable attempt by that territory to gain independence. Azerbaijan had tried to involve Armenia in the conflict by invading its territory with its armed forces, and Armenia had in fact been subjected to a blockade by Turkey and Azerbaijan for several years.

62. When the territory seized by Azerbaijan had been liberated, there had been no Soviet forces involved. On the contrary, even before the dissolution

of the USSR, Azerbaijan had been using Soviet forces for the ethnic cleansing of Armenians in Nagorny-Karabakh. The picture painted by the representative of Azerbaijan was greatly distorted: only some 370,000 Armenians, not over a million, had taken part in the defence of Nagorny-Karabakh. It was not true that resolutions by the Security Council and the Conference on Security and Cooperation in Europe (CSCE) had made reference to aggression on the part of Armenia: those resolutions had in fact referred only to armed conflict between Azerbaijan and Armenia. Nor was it true that Azerbaijan was prepared to reach a peaceful settlement and withdraw its forces: it had been Armenia that had agreed the previous year to negotiations which had been mediated by the Russian Federation and CSCE, and which had been sabotaged by Azerbaijan.

63. Mr. GUANCHE (Cuba) said it was to be noted that the delegations of Japan and Australia had both expressed satisfaction with the invitation extended by his Government to the High Commissioner for Human Rights, and with the visit to Cuba that had resulted. That showed that his country was ready to accept visits from those whose motivation was serious, though not visits designed to subject it to arbitrary manipulation and pressure. He regretted that those delegations had not drawn attention to the fact that Cuba had pursued a policy of cooperation with United Nations human rights mechanisms for many years. Cuba could not agree to a visit from a so-called Special Rapporteur, since it could not accept that such a visit would be justified.

64. Mr. MOHAMMED HUSSAIN (Observer for Iraq) said it was regrettable that some of the countries which defended human rights did so in order to serve their own interests and the interests of other powers by making accusations against specific countries. He referred particularly to statements by the delegations of Japan and Norway in connection with the report of the Special Rapporteur.

65. His delegation would have liked Japan, as a fellow Asian country, to have asked for the boycott of Iraq to be lifted, but it was clear that the United States wielded considerable influence over those who might be expected to speak in Iraq's defence. He hoped that all concerned would take into account the disastrous situation in Iraq, which was causing great suffering. Those who wished to see that situation perpetuated should bear responsibility for its effects on the Iraqi people.

66. Mr. SOUALEM (Algeria) said his delegation believed that NGOs generally played a useful role on the Commission, and that many of them were genuinely committed to the promotion and protection of human rights. His delegation did not normally exercise its right of reply, but felt bound to do so on the present occasion.

67. The Arab Organization for Human Rights had made what amounted to a political speech, which the Algerian delegation rejected as being out of place in the Commission. In addition, the speech had contained inexcusable inaccuracies and allegations which could be explained only by ignorance, or by a bias which was not stated openly, but revealed itself in insinuations.

68. The other statement, by Amnesty International, had amounted to an act of harassment, and had gone so far as to question the effectiveness of the Commission and of human rights monitoring mechanisms. Amnesty International

had exceeded its powers in submitting a written statement in violation of Economic and Social Council resolution 1296 (XLIV), and in particular paragraph 29.

69. Ms. EIVAZOVA (Observer for Azerbaijan) said she had just received information that Armenian military forces had once again launched a massive attack on her country, thus continuing the campaign of genocide against the people of Azerbaijan. She urged the Commission to take action to halt that campaign, which had already caused untold suffering.

70. Mrs. AZHAR (Pakistan) said she wished to respond to the remarks made by the representative of the Indian Institute for Non-aligned Studies, the intentions of which were extremely dubious. There was strong reason to believe that that body was a Government-organized non-governmental organization, for on a number of previous occasions it had defended the brutalities of Indian security forces in Jammu and Kashmir. The people of that region were being victimized by Indian security forces as a result of their legitimate demand to exercise the right to self-determination. They were being tortured and exposed to inhuman and degrading treatment only because they insistently reminded the Government of India of its obligations under the resolutions of the Security Council, including the holding of a free and fair plebiscite under United Nations auspices in the disputed territory of Kashmir. In order to shift attention away from the fact that it had defaulted on its obligations, the Indian Government had resorted to accusing external forces of disturbing the "peace" in Jammu and Kashmir.

71. Mr. MELIK-CHAKHNAZAROV (Observer for Armenia), speaking in exercise of the right of reply a second time, said that after the present President of Azerbaijan had come to power, he had declared that all possible efforts would be made to achieve a peaceful settlement of the dispute over Nagorny-Karabakh. Six months later, however, when Azerbaijan had acquired sufficient strength, it had moved against Nagorny-Karabakh. When its forces had encountered resistance, Azerbaijan had sought to drag out negotiations while attempting to regroup and reorganize. The specific allegations made by the delegation of Azerbaijan would be refuted in detail at a later date.

72. Mrs. SABHARWAL (India) said she was at a loss to understand why Pakistan was attacking India in the guise of a response to comments by a non-governmental organization. She was also amazed at the charge that that body was a Government-sponsored non-governmental organization, since it was well known that a vast number of independent-minded non-governmental organizations were operative in India. The misconception was evidently due to a lack of democratic tradition in Pakistan, or perhaps to a reflexive application of its own policy of using non-governmental organizations to further its political and territorial ambitions. For whatever reason, Pakistan sought to avoid the real issue under debate, namely, its role in sponsoring terrorism in Jammu and Kashmir. Instead of raising extraneous issues, Pakistan should reply to the charges made against it by the non-governmental organization in question.

73. Mr. OLADEJI (Nigeria) said he had taken note of the allegations made against his Government by the delegations of France - on behalf of the European Union - and Canada, and by some non-governmental organizations.

In order to correct that misinformation, he referred delegates to the statement made by his delegation on 20 February 1995, which contained an account of the efforts made by Nigeria's military administration to return the country to democratic and civil rule. As a responsible member of the international community, Nigeria was fully aware of its obligations under the human rights instruments it had signed and was entirely capable of protecting the rights of its citizens.

74. The CHAIRMAN announced that the Commission had completed its consideration of agenda item 12.

RIGHTS OF THE CHILD, INCLUDING:

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(d) QUESTION OF A DRAFT OPTIONAL PROTOCOL TO THE CONVENTION ON THE RIGHTS OF THE CHILD ON THE SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY AS WELL AS THE BASIC MEASURES NEEDED FOR THEIR PREVENTION AND ERADICATION (agenda item 24) (continued)

E/CN.4/1995/94-97, 106, 112, 127, 129, 135, 151; E/CN.4/1995/NGO/4, 15 and 43; A/49/478 and 643; E/CN.4/Sub.2/1994/34; CRC/C/29, 34, 36 and 37)

75. Mrs. ABREU de POLANCO (Dominican Republic) said her Government had recently adopted a code designed to protect all the rights of children and adolescents. The Code stipulated that it was the responsibility of the family, the community and society to accord absolute priority to children and to assist them in all circumstances. Under the Code, there could be no discrimination on any grounds whatever against children or adolescents; they had the right to be raised and educated within their own families or, in exceptional circumstances, in surrogate families. Her country had also adopted innovative legislation against the indiscriminate adoption of Dominican children which could be envisaged only in exceptional circumstances. That legislation also did away with earlier measures of discrimination between natural and legitimate children in respect of inheritance rights.

76. The Dominican Republic was concerned about the alarming rise in violations of the rights of the child worldwide, and particularly the growth in instances of the sale of children, child prostitution and child pornography. It therefore supported the Commission's decision to extend for three years the mandate of the Special Rapporteur on the sale of children, child prostitution and child pornography. The Special Rapporteur should give priority to the study of sexual and physical abuse of children by parents, since such abuse more often than not went unreported and unpunished. The Dominican Code for the protection of children defined mistreatment of minors as any behaviour on the part of an adult which had a negative effect on the healthy physical, psychological or sexual development of the child. All professionals or officials who, in the course of their duties, became aware of

or suspected mistreatment were obliged to report it. The Code devoted special attention to disabled children and established a special body for the protection of disabled children and for their treatment and rehabilitation.

77. Her Government was fully conscious of the obligation to provide education on human rights as stipulated in the Vienna Declaration and Programme of Action. Indeed, it was of the view that, during the current International Decade for Education on Human Rights, consideration should be given to the preparation of teaching materials to inform children and adolescents about their rights as members of society, since they represented the future of the world.

78. Ms. BAUTISTA (Philippines) thanked the Special Rapporteur for his valuable provisional report to the General Assembly (A/49/478) and welcomed the appointment of the new Special Rapporteur, who was a Philippine expert on family law and an active advocate of children's rights. She wished her every success and hoped that she would receive all the necessary support.

79. It was heartbreaking to see the tragic plight of child prostitutes, street children, working children, children in indigenous communities, refugees and children in armed conflicts. Their physical and psychological development was hampered by poor socio-economic conditions, their lives were perpetually at risk and their rights were repeatedly violated through exploitation and violence. In her Government's view, a first step towards meeting the needs of such children was to reaffirm the importance of the family as the principal and natural environment for children's care.

80. The strengthening of the family in the Philippines and of family values was part of the social reform agenda, and problems of children in difficult situations were being addressed by an inter-agency council for the welfare of children. Moreover, education, the training of public officials and the dissemination of information had resulted in increased awareness of children's rights among law enforcement authorities and the public at large. Communities in areas where foreign paedophiles operated had taken steps to protect their children from exploitation. Legislation adopted by the Government providing for more stringent measures against those who victimized children for sexual purposes had been mentioned by the former Special Rapporteur as innovatory.

81. Yet international cooperation must also be strengthened if children in difficult circumstances were to be properly protected. Her delegation was happy to note that an inter-sessional working group had been established to elaborate guidelines for a possible optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and that another working group had been asked to draft an optional protocol for the protection of children involved in armed conflicts. The Philippines hoped that the Commission would give its fullest support to the efforts of both working groups while continuing to encourage States to sign and ratify the Convention on the Rights of the Child.

82. Maximum cooperation within the international community was necessary if sex tourism was to be eradicated. The suggestions made on the subject by the Special Rapporteur should be given due consideration, and her delegation hoped that they would be implemented.

83. In redoubling its efforts to improve the quality of life of all individuals, the Committee must remember that children were the hope for a better tomorrow.

84. Ms. TREYDE (Australia) said her country was heartened by the moves to strengthen the international protection of children. It was strongly committed to the elaboration of two optional protocols to the Convention on the Rights of the Child, one to strengthen international mechanisms to combat child prostitution and other forms of sexual abuse and exploitation, and another relating to the involvement of children under 18 years of age in armed conflicts. Australia welcomed the report of the working group responsible for elaborating guidelines for a possible optional protocol on the sale of children, child prostitution and child pornography. It strongly believed that the Commission should create a working group to draft such a protocol.

85. Australian law now made it a criminal offence for Australian citizens or residents to engage in sexual activity with minors while overseas or to promote, profit from or organize child sex tourism. Those measures showed that individual States could act to prevent the exploitation of children, even when it occurred outside their borders. Australia hoped that other States would follow its lead.

86. All United Nations agencies should collect information on the rights of the child and report annually to the Special Rapporteur on the sale of children and other concerned entities. Particular attention should, moreover, be paid to the interrelationship between the rights of women and children.

87. Her country was deeply concerned by the tragic situation of children due to armed conflict in many parts of the world, and welcomed the progress made by the working group considering the preliminary draft optional protocol on the involvement of children in armed conflicts. Peace-building and a consequent reduction in the incidence and severity of armed conflicts offered the best long-term solution to children's involvement in armed conflicts.

88. As part of its obligations under the Convention on the Rights of the Child to abolish traditional practices detrimental to the health of children, Australia was developing a strategy to deal with female genital mutilation. It hoped to reduce community pressure on women to continue the practice, and to that end it would implement an extensive educational programme involving both health and welfare workers. The programme would be underpinned by uniform legislation to outlaw the practice of female genital mutilation.

89. As part of its commitment to creating a better environment for the world's children, Australia was investigating ways to address the problems of exploitative child labour. In November 1994, a report had been submitted to Parliament on the exploitation of children, setting out current activities and foreshadowing future initiatives. The most effective remedy against exploitative child labour was equitable economic growth and improved education and health care. International action must be directed at assisting Governments and local communities through cooperative programmes that provided long-term solutions to the underlying causes of child exploitation. The programme on the elimination of child labour run by the International Labour Organization was an excellent model for such action. It was flexible and

subject to rigorous ongoing evaluation, and its strong partnership with non-governmental organizations ensured that it was effective at the grass-roots level.

90. Her country's Overseas Development Cooperation Programme contributed significantly to reducing child labour by assisting in social and economic development, particularly in the Asia and Pacific region. Australia was expanding its support in such areas as basic education and improved water supplies and sanitation and would soon nearly double its spending on health, targeting poliomyelitis, malaria, neonatal tetanus and HIV/AIDS, all of which had a bearing on child survival and family welfare. Support for macro-enterprise development and other activities carried out by the non-governmental organizations also helped to increase the incomes of poorer families and lessen their dependence on child labour. The Government had established a tripartite working group on labour standards that would address the question of exploitative child labour, including possible ways of dealing with the importation of goods produced by such labour.

91. In Australia, as elsewhere, much remained to be done to implement fully the obligations assumed under the Convention on the Rights of the Child. Her Government called on all States to promote and protect the rights of that most vulnerable but vitally important group. In any decent society, the essential element must be the nurturing of its children, who were its future.

92. Mr. LEE (Republic of Korea) said that every child should be guaranteed its human dignity and receive full respect as a central member of future society. That basic principle was being breached every day, however, as children were exposed to, and too often became the victims of, exploitation and abuse in a variety of complex forms. The time had now come to redress the crimes perpetrated against children, and his delegation was therefore pleased that 166 States had signed or ratified the Convention on the Rights of the Child. The task was now to implement the Convention faithfully.

93. His delegation welcomed the establishment of the inter-sessional working group responsible for elaborating the guidelines for a possible draft optional protocol on the sale of children, child prostitution and child pornography, and hoped that the tasks it assumed would improve the Commission's efforts to put a stop to such abhorrent crimes.

94. His country's legislation prohibited child labour for children below the age of 13, clearly stipulated the working conditions of adolescents, and made violations of international standards punishable. Such acts as the sexual exploitation of children, including child prostitution and child pornography, were strictly prohibited.

95. The implementation of the Programme of Action for the Elimination of the Exploitation of Child Labour should be reviewed as a matter of urgency. At the same time, an environment of genuine cooperation, not only among nations but also between States, the Commission and UNICEF, must be fostered. The Republic of Korea would continue to participate actively in international efforts to protect and promote the rights of children and looked forward to working closely with other members of the Commission to that end.

96. Ms. de SOUZA BIERRENBACH (Brazil) expressed her Government's conviction that the use of children as soldiers should be prohibited. It was for that reason that Brazil had supported the efforts of the working group on a draft optional protocol on involvement of children in armed conflicts. Brazil also welcomed the progress made by the Independent Expert responsible for elaborating a comprehensive study on the impact of armed conflicts on children. As the expert herself had stated, information was an important means of curbing the widespread and serious violations of children's rights which occurred as a consequence of wars. Brazil commended the efforts of the working group on a possible draft optional protocol on the sale of children, child prostitution and child pornography, but thought the views of the Committee on the Rights of the Child should be taken into consideration. The Committee considered that, in view of the scope of the Convention on the Rights of the Child, such a protocol might amount to duplication.

97. Brazil had, in 1990, adopted a Statute on the rights of the child which was in complete conformity with the Convention on the Rights of the Child. It had instituted new and innovative means of ensuring the Statute's implementation by establishing guardianship councils in each municipality. Those councils were autonomous, locally elected entities responsible for monitoring the observance of the rights set out in the Statute.

98. In order to promote the participation of society in the development of policies for the protection of children, the Government had, in 1992, established the National Council on the Rights of Children and Adolescents composed of representatives of the Government and non-governmental organizations. Similar councils had been established at the State and municipal level.

99. Another result of the partnership between the Government and society in promoting children's rights had been the "National Pact for Children", which set out 30 different targets in the fields of health, education and special protection. In November 1994, all members of the Pact had met in Brasilia to evaluate the results and had concluded that substantial progress had been made, particularly in the field of health.

100. Brazil's efforts to promote children's rights had been recognized by Mr. James Grant, the former Executive Director of UNICEF, in a letter to President Cardoso. The Commission could rest assured that the Brazilian Government, through broad dialogue and close cooperation with the Brazilian public, would persevere in its efforts to achieve a dramatic reduction in child mortality and improve the quality of education given to its young people.

101. Mrs. HAJDUK-WYKRETOWICZ (Poland) said that Poland had been closely associated with the work of drafting the Convention on the Rights of the Child, and called upon all States which had not yet done so to ratify and implement it. However, it was deeply concerned by the number of reservations entered by States parties to that instrument.

102. She recalled that, in 1994, Poland had submitted to the Committee on the Rights of the Child its initial report on the implementation of the Convention. Certain provisions of Polish family law, and in particular of the

Family and Guardianship Code, had been at variance with the provisions of the Convention, and a number of appropriate amendments had been submitted to Parliament to remedy that situation.

103. With regard to the problem of child abuse and neglect, Polish law made it a criminal offence for an individual to abuse minors physically, mentally or sexually, introduce them to alcohol or lead them into prostitution. However, although no direct statistics on child abuse were collected, such evidence as did exist suggested that the problem was growing. Detailed research would be needed in preparation for appropriate legislative and practical measures.

104. Turning to the problem of effective international cooperation to promote implementation by States parties of the Convention, she recalled that Poland had supported the Commission's decision to establish a working group for the elaboration of a draft optional protocol to the Convention on the involvement of children in armed conflicts. The protocol would complement existing instruments in that field and lead to better protection for children, who were at their most vulnerable in armed conflicts. In particular, Poland endorsed the proposal in the draft protocol to raise the minimum age for recruitment into the armed forces to 18 years, so as to reflect the fact that, under the Convention, individuals below the age of 18 were regarded as children. The optional protocol would also have to address issues such as the voluntary participation of children in armed conflicts and in military education and training, and how best to oblige non-governmental armed forces or groups to implement the protocol. Given the complexity and sensitivity of such issues, more time would be needed to consider them thoroughly and formulate the most effective wording. In addition, the Committee on the Rights of the Child should be empowered to initiate inquiries and fact-finding missions to investigate alleged cases of recruitment or use of children in hostilities on the territory of a State party.

105. More effective measures were also needed to end various forms of exploitation of children, such as the sale of children, child prostitution and child pornography. That could not be done entirely at the national level and required urgent and concerted international action. In particular, the mandate of the Special Rapporteur on the sale of children, child prostitution and child pornography should be extended for another three years. Serious consideration should also be given to the adoption of a possible draft optional protocol to the Convention on the sale of children, child prostitution and child pornography, and the working group responsible for drafting such a protocol should continue its efforts.

106. Much remained to be done to ensure that the provisions of the Convention were implemented in practice and guaranteed in law. Poland reaffirmed its commitment to that task and fully supported the draft omnibus resolution on the rights of the child.

107. Ms. CHEN PEIJIE (People's Republic of China) said that children were a valuable asset to any society, and every community bore a responsibility to promote their development. With that in mind, the international community had focused on the implementation of legal measures to protect the rights of children, and that consensus was reflected by the fact that nearly 170 countries has acceded to the Convention on the Rights of the Child.

108. The Chinese delegation had contributed actively to the work done by the working groups for the elaboration of draft optional protocols to the Convention on the involvement of children in armed conflicts and on the sale of children, child prostitution and child pornography. It would continue to do so and looked forward to further progress.

109. With regard to the situation of children in the People's Republic, she noted that throughout the 5,000 years of their history, the Chinese people had established a strong tradition of caring for children. Family relationships were important and people had a strong sense of responsibility towards their own and other people's children. The authorities also accorded high priority to the care and protection of the young and the various legal and administrative measures which had been taken to their legal rights continued to be refined and developed.

110. Impetus had been given to those efforts by the accession of the People's Republic to the Convention on the Rights of the Child in 1990. At around the same time, the Government had enacted a series of statutes to improve the protection of young people, as well as specific laws on the protection of minors, compulsory education, adoption, the protection of disabled people and education for the disabled. Institutions had also been established to monitor the implementation of various protective measures. They included a Special Group on Women and Children under the Judicial and Civil Affairs Committee of the National People's Congress, a Committee on Women and Youth set up by the Chinese People's Political Consultative Conference, and a National Coordination Commission on Women and Children's Affairs which had done much detailed work throughout the country in promoting and protecting children's legal rights and interests. Specialized child protection bodies had also been set up by various Government departments and local administrations. The Government would shortly submit its report on the implementation of the Convention on the Rights of the Child giving a full and objective account of China's efforts to protect the rights of children.

111. China had recently achieved remarkable economic progress, but it remained a developing country beset by continuing problems of underdevelopment and poverty. Nevertheless, the Government continued to do everything within its means to promote the development of its children and took pride in the progress that had already been made. The Chinese delegation reiterated its willingness to collaborate with other delegations in promoting children's rights so that all mankind might enjoy a better future.

112. Mr. RAM (Nepal) said that his delegation attached particular importance to the rights of the child, protection of which was a central feature of a number of international instruments. Nepal was a Party to the Convention on the Rights of the Child, its eighth five-year plan for 1992-1997 had accorded high priority to the protection and development of children, and various development programmes and legal measures in the field of child protection were being implemented. Its National Child Development Action Plan had set specific targets for various aspects of child development up to the year 2000 and was an integral part of the economic and social development plan of the country. The Government was also considering the possibility of establishing a high-level national council for the development of women and children.

Children's rights were enshrined in the Constitution, the Children Act of 1991 prohibited the exploitation of child labour, and the Labour Act of 1992 prohibited the employment of children in factories and other establishments. Special efforts were also being made to eliminate the system of bonded labour prevalent in remoter regions of the country.

113. As in other parts of the world, the sale of girls and child prostitution were serious problems in Nepal, which had enacted legislation providing for severe punishment for anybody found guilty of such crimes. However, its deterrent effect was weakened by the virtual impossibility of enforcement when children were traded across national borders. In any case, legal remedies alone were ineffective and action was needed to tackle the root causes of child prostitution among girls such as poor employment opportunities, low levels of education and limited awareness of rights. Nepal had initiated a number of educational programmes for women and girls, and free legal aid programmes had been set up to inform them of the legal provisions in force.

114. Nepal was a member of the South Asian Association for Regional Cooperation (SAARC). In the SAARC region, about 1 million of the 34 million children born each year did not survive their first birthday, while another 2 million died before reaching the age of five. That situation was the result of a complex set of causes related to poverty, malnutrition, ill-health, the illiteracy of mothers and child exploitation. In addition, girls often experienced neglect and discrimination rooted in social, cultural and historical factors. The combination of poverty, discriminatory attitudes, and the poor education available to girls and their limited awareness of their own rights often led to their being illegally sold by their parents. Any measures taken to curb the practice would have to focus on improving parent-child relationships, providing better education for girls, enhancing the status and employment opportunities of women, and improving the social and physical environment. The basic strategy had to be community-based, using community processes to design social and financial support services responsive to the specific needs of girls. National economic and social planning should give priority to the needs of children, especially girls, and political will was required to raise investment in children and make more efficient use of available resources. At the same time, a more favourable climate for the development of children would be created by disseminating information on the survival, development and protection of girls.

115. Particular attention had to be paid to improving general and vocational education for girls, while the burden of domestic work often done by girls must be reduced by the provision of support services and facilities. Only in that way would girls acquire the more positive self-image that could prevent them from being sold.

116. Nepal had participated in the World Summit for Children in 1990 and welcomed the adoption of the World Declaration on the Survival, Protection and Development of Children and the plan of action for its implementation. Particular attention should be paid to the needs of children in the least developed countries, and to special educational, health and family planning programmes, while poverty alleviation programmes could have a great impact on the elimination of child labour and the sexual exploitation of girls.

117. Mr. MARGINEANU (Romania) said that his delegation welcomed the Commission's efforts to respond to children's immediate needs within the context of longer-term strategies for social and economic development. However, despite the progress made in the protection of children's rights, the situation of children in many regions of the world remained a matter of grave concern.

118. Although economic factors would inevitably continue to play a part in determining the fate of children, especially in developing countries, poverty and underdevelopment could not excuse the worst types of exploitation such as child prostitution, pornography, the sale of children and the use of children for illicit, clandestine and criminal purposes. As well as adopting long-term measures to attack the underlying causes of those phenomena, States should take steps to reduce the immediate risk to children. Since children were particularly vulnerable, Governments had a duty to formulate effective policies to create the best possible conditions for children's development and improve general understanding of children's rights and of the serious nature of such abuses.

119. Romania welcomed the idea of drafting two optional protocols to the Convention on the sale of children, child prostitution and pornography and on the involvement of children in armed conflicts, and commended the work of the two working groups concerned.

120. Referring to Romania's efforts to implement the Convention, he said that the task of bringing domestic legislation and policy into line with that instrument was well in hand, and a number of new provisions had been incorporated into the Penal Code to bring acts likely to violate the rights of children within the scope of the criminal law. Various laws had been adopted on financial support for families, benefits for women on maternity leave, childbirth benefits, benefits to wives of military personnel, and grants for schoolchildren and students. Other enactments made primary, secondary and higher education free and prohibited the employment of children and young people at night or in dangerous conditions.

121. A very important development had been Romania's signature of the Hague Convention on the Protection of Children and Cooperation in respect of Intercountry Adoption, which aimed to help children to remain with their biological parents and emphasized the central importance of child's interests in adoption proceedings. International cooperation was vital in solving the problems faced by children, since no State on its own could hope to solve the various criminal problems connected with the sale of children or their exploitation for prostitution and pornography; bilateral agreements were particularly important in ensuring the implementation of international instruments.

122. In conclusion, he expressed the hope that all the component parts of the United Nations system would adopt a comprehensive approach and regularly review their policies in the area of children's rights.

123. Mr. CASTELLON (Nicaragua) recalled that the World Conference on Human Rights in Vienna had emphasized the need for greater national and international efforts to promote the welfare of children and that the

Vienna Programme and Plan of Action had called on States to take the necessary steps to ensure universal ratification of the Convention on the Rights of the Child by 1995.

124. His delegation wholeheartedly supported the work of the working group for the elaboration of a draft optional protocol to the Convention on the involvement of children in armed conflicts. The present Government of Nicaragua had abolished compulsory military service which, during the 1980s, had led to thousands of boys being recruited against their will to fight in the country's civil war. Many of them had lost their lives or been disabled.

125. His delegation also supported the establishment of a working group for the elaboration of a draft optional protocol to the Convention on the sale of children, child prostitution and child pornography. Law No. 150 which had reformed the Penal Code, specified more severe penalties for violations of an individual's physical, moral or social integrity, for rape and other sex offences, and for corruption, prostitution and procurement where the victim was under age. The Law represented an attempt to provide special protection for women and children, who were often particularly vulnerable. Parallel efforts had been made to get government bodies and society in general to promote educational and preventive activities.

126. The Nicaraguan delegation welcomed measures aimed at strengthening the Committee on the Rights of the Child and endorsed the Plan of Action drawn up by the High Commissioner for Human Rights which had already been approved by the Committee at its October 1984 and January 1985 sessions.

127. Almost half of Nicaragua's population were children, most of whom lived in poverty, often with their single mothers. Emotional insecurity and the failure to satisfy basic needs often forced children to work or onto the streets, or exposed them to other situations that could lead to delinquency. A 1991 study had shown that over half a million children were living in particularly difficult circumstances: they included children living alone, and victims of the war or natural and environmental disasters. Thousands were living in extreme poverty or forced to survive on their own by, for example, working in the informal sector. Many had been abandoned and lived on the streets or in institutions.

128. It was therefore the intention of the Government, with international help, to improve protection for children living in particularly difficult circumstances by tackling the root causes of their plight. According to the targets it had set for 1996, appropriate care was to be provided for 50 per cent of ill-treated or abandoned children or those who had suffered as a result of armed conflicts, for street children, for 100 per cent of children requiring placement in an institution, and for 25 per cent of those who had been victims of natural or environmental disasters.

129. Under the strategy that had been adopted to tackle the urgent problem of children and adolescents living in particularly difficult circumstances, steps were being taken to strengthen the family, priority was given to children and young people surviving on their own or involved in armed conflict, and the Nicaraguan people's experience in community work was being used to formulate realistic and viable solutions. In addition, information and education

campaigns had been undertaken and pilot projects were under way with a view to identifying alternative ways of promoting the education of young persons. Diagnostic methods were also being developed to provide a better understanding of the problems involved and to ensure systematic and effective follow-ups, and efforts were being made to improve cooperation between government bodies, non-governmental organizations, and various community, youth, church and private organizations.

130. A National Commission for the Promotion and Protection of Children's Rights had been created by Presidential Decree in 1994. Its main functions were to promote appropriate legislation to ensure the implementation of the Convention, participation by various national sectors in meeting the targets set for development plans relating to human resources, children and adolescents, awareness of the rights of the child with a view to the more effective implementation of international and domestic standards, coordination between the Government, national and international non-governmental organizations and international agencies in obtaining assistance for children, and funding and technical assistance for projects and programmes designed to improve the lot of children.

131. A number of other projects and legal measures were also under consideration, including the possible establishment of a "children's ombudsman" to provide legal assistance to children in the protection of their rights.